## IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,	)
Plaintiff,	) 8:09CR165 )
vs.	) ) ORDER
DOUGLAS D. PATTANGALL,	)
Defendant.	)

This matter is before the court on the defendant Douglas D. Pattangall (Pattangall) motion for reconsider of detention (Filing No. 37). Pattangall seeks release to his residence in Bellevue subject to electronic monitoring. Pattangall is charged with the failure to register as a sex offender in the State of Nebraska in violation of 18 U.S.C. § 2250(a). Pattangall has a prior conviction in Massachusetts in 1988 for indecent assault of a minor with a requirement for lifetime registration as a sex offender. In 1993, Pattangall was convicted of sexual assault of a child in Falls City, Nebraska, for which he received a five year prison sentence. Pattangall has several convictions for driving while intoxicated and resisting arrest. In 2003, Pattangall was convicted for failing to register as a sex offender in Grant County, Kentucky. In 2007, Pattangall was charged with a felony count of non-support in Boone County, Kentucky. While there is no detainer placed with the U.S. Marshal in Nebraska, there remains an outstanding and active warrant for Pattangall's arrest from the Grant County Circuit Court in Kentucky on a felony non-support charge.

The release plan proposed by Pattangall does not assure his presence for further proceedings or the safety of the community if he were released. Accordingly, Pattangall's motion to reconsider the order of detention is denied.

## IT IS SO ORDERED.

## ADMONITION

Pursuant to NELR 72.3 any appeal of this Order shall be filed with the Clerk of the Court within ten (10) days after being served with a copy of this Order. Failure to timely appeal may constitute a waiver of any objection to the Order. The brief in support of any appeal shall be delivered to Judge Thomas M. Shanahan at the time of filing such appeal. Failure to submit a brief in support of any appeal may be deemed an abandonment of the appeal.

DATED this 23rd day of October, 2009.

BY THE COURT:

s/Thomas D. Thalken United States Magistrate Judge